

Serial No. **10/580,218**

Docket No. **MDR-0057**

Amdt. dated August 9, 2007

Reply to Office Action of April 6, 2007

### **REMARKS/ARGUMENTS**

Claims 12-21 and 23-32 are pending. By this Amendment, claims 12-21 are amended, claim 22 is canceled without prejudice or disclaimer, and claims 23-32 are added. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of above amendments and following remarks is respectfully requested.

The Office Action objected to the specification, as allegedly failing to provide proper antecedent basis for the claimed subject matter. The “means plus function” language has been deleted from the claims. Accordingly, the objection should be withdrawn.

The Office Action rejected claims 12-21 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner’s comments have been addressed in amending the claims. Accordingly, the objection should be withdrawn.

The Office Action rejected claims 12-14 and 16-18 under 35 U.S.C. §102(b) as being anticipated by Essary, U.S. Patent No. 6,164,004. The rejection is respectfully traversed.

Independent claim 12 has been amended to recite a protective cover for a sporting rifle comprising screws which are used to fix a shell propulsion mechanism to a rifle support, the protective cover comprising a main body having a predetermined length and width corresponding to a length and width of an area to be covered on the rifle support, the area to be

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covered including heads of the screws that fix the shell propulsion mechanism to the rifle support, and a fixing device that fixes the main body to the area to be covered, wherein the fixing device comprises one or more deformable protrusions configured to push-fit mate with one or more corresponding recesses formed in the rifle support. Essary does not disclose or suggest all of the claimed features of independent claim 12, or the claimed combination.

Rather, Essary discloses a protective cover 10 in the form of a tubular sleeve 12 with elastic bands 18, 19 at first and second ends 13, 14 thereof. As disclosed and shown in Figures 1-3 of Essary, the protective cover is designed to cover a firing mechanism of a muzzle loading rifle.

Accordingly, claim 12 defines over Essary. Dependent claims 13-14 and 16-18, as well as added claim 23, define over Essary at least for the reasons discussed above with respect to independent claim 12, from which they depend, as well as for their added features.

The Office Action rejected claims 12-21 under 35 U.S.C. §102(b) as being clearly anticipated by Cupp, U.S. Patent No. 5,465,520. The rejection is respectfully traversed.

As indicated above, independent claim 12 has been amended to recite a protective cover for a sporting rifle comprising screws which are used to fix a shell propulsion mechanism to a rifle support, the protective cover comprising a main body having a predetermined length and width corresponding to a length and width of an area to be covered on the rifle support, the area to be covered including heads of the screws that fix the shell propulsion mechanism to the rifle

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support, and a fixing device that fixes the main body to the area to be covered, wherein the fixing device comprises one or more deformable protrusions configured to mate with one or more corresponding recesses formed in the rifle support. Cupp does not disclose or suggest all of the claimed features of independent claim 12, or the claimed combination.

Rather, Cupp discloses a gun grip assembly which includes elastomeric body 46 which is bonded to reinforcing plates 47 and 48, and then welded to side panels 32, 33. See col. 3, lines 21-27 and col. 4, lines 17-35 of Cupp. Further, the elastomeric body 46 is configured to cover only part of side panels 32, 33, not including screws 30. See col. 3, lines 39-44 of Cupp.

Accordingly, claim 12 defines over Cupp. Dependent claims 13-21, as well as added claim 23, define over Cupp at least for the reasons discussed above with respect to independent claim 12, from which they depend as well as for their added features.

Added claims 24-32 also define over the applied prior art.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Date: August 9, 2007**

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